

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CR-15-179-D
	)	
ROGELIO ORTIZ-RICO,	)	
	)	
Defendant.	)	

**ORDER**

Defendant, appearing pro se, moves the Court for a modification/reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2). Construed liberally, Defendant's motion seeks a modification/reduction pursuant to Amendment 782 to the United States Sentencing Guidelines, which was enacted November 2014 and generally lowered by two levels the base offense levels provided in the Drug Quantity Table set forth in U.S.S.G. § 2D1.1 for drug trafficking offenses.

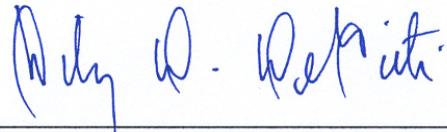
Defendant pleaded guilty to a single count of possession with intent to distribute methamphetamine, as charged in the Superseding Information filed October 19, 2015. He was sentenced on August 26, 2016 to a term of 108 months' imprisonment. *See* Judgment [Doc. No. 46].<sup>1</sup> Pursuant to the information, the alleged offense transpired on or about August 14, 2015. *See* Superseding

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<sup>1</sup> Defendant's motion incorrectly states that he was sentenced on July 13, 2015 to a term of 110 months' imprisonment.

Information [Doc. No. 16]. Defendant's advisory guideline range of imprisonment was determined using the 2015 version of the Sentencing Guidelines Manual, which incorporated the lower base offense levels provided by Amendment 782. Therefore, the Court finds that Defendant's motion should be **DENIED**.

**IT IS SO ORDERED** this 8<sup>th</sup> day of November, 2016.



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TIMOTHY D. DEGIUSTI  
UNITED STATES DISTRICT JUDGE